



#4 \$DAC

FORM SB/64

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)		Docket Number CE08395R
First Named Inventor:	Rinchiuso et al.	Group Art Unit: 2661
Application Number:	09/760,039	Examiner: Unknown
Filed:	January 12, 2001	
Title:	PACKET TRANSMISSION WITHIN A BROAD-BAND COMMUNICATION SYSTEM	
Attention: Office of Petitions Assistant Commissioner for Patents Box DAC Washington, D.C. 20231		
Note: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.		
The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.		
APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION		
NOTE: A grantable petition requires the following items:		
(1) Petition fee;		
(2) Reply and/or issue fee;		
(3) Terminal disclaimer with disclaimer fee—required for all utility and plant applications filed before June 8, 1995, and for all design applications; and		
(4) Adequate showing of the cause of unavoidable delay.		
1. Petition fee		
<input type="checkbox"/> Small entity – fee \$ _____ (37 CFR 1.17(l)). Applicant claims small entity status. See 37 CFR 1.27.		
<input checked="" type="checkbox"/> Other than small entity – fee \$ <u>1,240.00</u>		
2. Reply and/or fee		
A. The reply and/or fee to the above-noted Office action in the form of <u>Missing Parts</u> (identify type of reply)		
<input type="checkbox"/> has been filed previously on _____		
<input checked="" type="checkbox"/> is enclosed herewith		
B. The issue fee of \$ _____		
<input type="checkbox"/> has been paid previously on _____		
<input type="checkbox"/> is enclosed herewith.		

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3. Terminal Disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ For a small entity or \$ _____ For other than a small entity) disclaiming the required period of time is enclosed herewith (See PTO/SB/63)

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.1379b) was unintentional (MPEP 711.03(c)(iii)(C) and (D))]

5. ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 13-4772

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

September 18, 2001

Date



Signature

847-576-6937

Telephone Number

Kenneth A. Haas

Typed or printed name

Motorola Inc.

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- Enclosures: ☒ Fee Payment
☒ Missing Parts
☐ Terminal Disclaimer Form
☐ Additional sheets containing statements establishing unintentional delay

CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is being:

- ☒ Deposited with the United States Postal Service on the date shown below with sufficient postage as first-class Mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231
- ☐ Transmitted by facsimile on the data shown below to the United States Patent and Trademark office at (703) 308-6916.
- ☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as Express Mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231: Express Mail Label No. _____

September 18, 2001

Date



Signature

Tanya Scheuer

Typed or printed name of person signing certificate

PTO/SB/21 (08-00)



TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

TRANSMITTAL FORM (To be used for all correspondence after initial filing)	Application Number	09/760,039
	Filing Date	January 12, 2001
	First Named Inventor	Rinchiuso et al.
	Group Art Unit	2661
	Examiner Name	Unknown
Total Number of Pages in this Submission	Attorney Docket Number	CE08395R

ENCLOSURES

(check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s) <input type="checkbox"/> Extension of time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts Under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-Related papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CDs	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter with appropriate copies <input type="checkbox"/> Other Enclosure(s) (please identify below) <input type="checkbox"/> Response to Restriction Requirement <input type="checkbox"/> Associate Power of Attorney <input type="checkbox"/> RCE <input checked="" type="checkbox"/> Petition for Revival of Abandoned Unintentionally Under 37CFR1.137(b) <input checked="" type="checkbox"/> Executed Declaration
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	Kenneth A. Haas	Registration No.	42,614
Signature			
Date	September 18, 2001		

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage thereon, as first-class mail, in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on the date listed below:

Typed or printed name	Tanya Scheuer		
Signature		Date	September 18, 2001

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